



PATUXENT RIVER COMMISSION

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Larry Hogan, Governor
Councilman Michael Leszcz, Co-Chairman
Frederick Tutman, Co-Chairman
Christopher Perry, Vice Chairman

We, the Patuxent River Commission, envision a Patuxent River ecosystem as vital and productive in 2050 as it was in the 1950s. We therefore commit to be stewards and advocates for the Patuxent River and to lead and inspire actions to protect, enhance, and restore living resources and the natural, cultural, economic, and recreational values of the Patuxent River and its watershed.

MEETING SUMMARY September 13, 2017 Maryland Department of Agriculture Annapolis, MD 4:00 p.m. - 6:00 p.m.

Members: Michael Leszcz, Co-Chair; Christopher Perry, Vice-Chair; Mary Kay Sigaty; Barbara Sollner-Webb; Erica Hahn; Michael Snyder; Mike Hewitt; Martin Chandler; Mark Symborski; Katina Shoulars; John Hartline; Al Tucker; John McCoy; Lisa White; Guy Curley; Scott Knoche; Luis Dieguez; Jackie Takacs; Jenn Raulin (for Alison Armocida); Jason Dubow; Sandy Hertz; Mark Mendelsohn

MDP Staff: Jason Dubow, Deborah Herr Cornwell, and Daniel Rosen

Approval of Minutes

The minutes from the July 12, 2017 meeting were adopted unanimously.

Announcements

Commission staff announced the upcoming Patuxent Research Conference and Water Monitoring Conference (both in December 2017); a reminder about the Commission's October field trip to Columbia regarding bioretention, stream restoration, and other stormwater management projects; and an update on the blue catfish fishery issue, including a recent letter from Governor Hogan requesting relief from new USDA inspections on wild-caught catfish by delaying implementation.

Update – Preservation and Restoration Workgroup

- **Draft letter to the Army Corps of Engineers requesting expedited approval for mitigation projects.** The Commission reviewed the letter. Mary Kay Sigaty moved that the Commission send the letter. Barbara Sollner-Webb seconded the motion. The Commission then voted to approve the letter (as revised with edits from Ms. Sollner-Webb) to be submitted.

- **Prince George's Resource Conservation Plan.** An update on the plan adopted in 2017 was provided by Katina Shoulars (M-NCPPC, Prince George's County). The plan combined the elements of Green Infrastructure with rural character and agricultural preservation. Highlights include:
 - more agricultural zones with more flexibility within the zoning district
 - expanded Anacostia historical trail
 - specific recommendations for improving water quality
 - no-net loss of forest goal

Update – Tourism Workgroup

Jason Dubow provided an update on the Patuxent River Challenge – the project is moving forward with outreach to local businesses and website development.

Update – Carroll County Circuit Court Ruling on MS4 Permits

Jason Dubow noted that the ruling is being appealed and that the decision focused on what areas could be included when determining who pays the fees. Mary Kay Sigaty confirmed that the concern was that when determining the fee Howard County had included all residents – not just the smaller number of residents within the MS4 service area.

Update – Purchase of Park Land along Patuxent in St. Mary's County

Commissioner Michael Hewitt provided an update on Snow Hill Park on the Patuxent River. The 163-acre property was purchased in March 2017 and will provide areas for passive and active recreation, as well as waterfront access. About 100 acres of the property are actively farmed. The property was opened to the public for limited weekend use in June 2017. For the long term, a park master plan will be developed and will likely include public boating access, picnic areas, beach access, natural resource areas, educational interpretation, nature/multi-use trails, athletic fields, park office and restrooms. Although not officially announced or advertised, the park drew hundreds of visitors on each of the weekend days.

Update – Sewage Spill Notification Workgroup

Matt Rowe, MDE provided a status update on the creation of a Sewage Spill Notification Guidance document. Overall, Matt Rowe noted that the existing sewer spill regulations provide much discretion to local health departments regarding notification, postings, and monitoring. In response to the Commission's letter, a draft guidance document has been developed that provides three levels/tiers of notification and strives to provide consistency across jurisdictions statewide. The draft document has been shared with the Maryland Department of Health and environmental health liaison committee (EHLIC). At the EHLIC's upcoming 9.19.17 meeting, comments from the group will be addressed and the document will be ready to be shared with the Commission. Barbara Sollner-Webb noted that the Commission had already compiled data showing the contrasts between the counties; the primary concern

is the monitoring and notification process and asked if it would be possible to attend the 9.19.17 meeting. Matt Rowe said that was possible.

Next Phase WIPs

Chairman Leszcz asked Matt Rowe if the EPA Bay TMDL limits were available yet. Matt Rowe reported that the draft Phase III is due December 2018 with final due April 2019, and the EPA limits have not been provided at this time. Aligning for growth discussions are continuing and technical details are being worked out. Matt Rowe will provide the date when the two-year milestones will be released. Commissioner Hewitt noted that small communities could benefit from funding for package plants, providing an opportunity for them to come into compliance. John McCoy noted that private landowners will need to be convinced to participate in BMP implementation programs, otherwise the Bay TMDL will be difficult to achieve.

Nutrient Trading Program

Matt Rowe provided the timeline from the issuance of the policy in October 2015 through the issuance of the draft guidance manual in April 2017. Comments and concerns included: certification credits, ratios of credits, protecting local water quality, how the program will be enforced and ensuring that wastewater treatment plant capacity is not traded. These will be addressed and included in the document provided to the Governor in late September/October. Three regions are included in the plan: Patuxent, Potomac and Eastern Shore. No interstate trading is included. Question was raised on how local water quality was defined. Matt Rowe will follow up. Also, Matt Rowe will confirm whether oyster BMPs can be traded.

Open Floor

The following issues were suggested for future meetings:

- for the Forest Conservation Act tree removal regulations, how are the number of trees calculated and if fee in lieu is provided how are the counties using the money
- for the Prince George's County Resource Conservation Plan, how will the county achieve the no net loss of trees goal
- Savage Park (purchased with State Program Open Space funds) might be traded to a developer

Also, Jackie Takacs notified the Commission about the upcoming Patuxent River Appreciation Day (and that Calvert, St. Mary's and Charles County are offsetting the costs of a rain barrel workshop held at the event) and Al Tucker notified the Commission that property owners around the Jug Bay Wetlands Sanctuary have doubled the amount of land protection around the sanctuary.